

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 7539

Petition of Telephone Operating Company of)
Vermont LLC, d/b/a FairPoint Communications,)
for Waiver or Modification of Certain)
Requirements Under the Performance Assurance)
Plan and Carrier to Carrier Guidelines)

Order entered: 9/14/2009

PREHEARING CONFERENCE MEMORANDUM

On August 10, 2009, the Vermont Public Service Board ("Board") convened a prehearing conference in this proceeding. The following entities entered appearances:

- James Porter, Esq., and John Cotter, Esq., for the Vermont Department of Public Service ("Department");
- Peter H. Zamore, Esq., Sheehy Furlong & Behm, PC, for Telephone Operating Company of Vermont LLC, d/b/a FairPoint Communications ("FairPoint");
- Paula Foley, Esq., for One Communications;
- Gregory M. Kennan, Esq., for National Mobile Communications Corporation, d/b/a Sovernet Communications ("Sovernet");
- Ralph Montefusco for the Communications Workers of America; and
- James White for Comcast Phone of Vermont;

The prehearing conference focused on the schedule for this proceeding. FairPoint agreed to supplement its petition with additional materials (which were filed on August 14, 2009). In addition, the parties agreed to work together on a proposed schedule. FairPoint filed a letter on August 24, 2009, and represented that the Department, One Communications, and Sovernet did not oppose the schedule. No other party commented or offered an alternative.

We adopt the following schedule, which consists of FairPoint's proposal with the addition of a deadline for intervention requests:

Discovery Requests	September 4 (this date has already passed)
Deadline for Intervention	September 18
Discovery Responses	September 23
Responses to Intervention Requests	September 30
Briefs/Comments	October 9
Reply Briefs/Comments	October 29

Consistent with the parties' proposal, this schedule does not include technical hearings on FairPoint's proposed Performance Assurance Plan modification. Any party that believes such hearings are necessary should state so no later than the reply brief (October 29).

We also note that this docket touches on issues similar to those under consideration in Docket 7506. In that proceeding, a party has suggested that the two dockets be consolidated. We will address those comments in Docket 7506.

SO ORDERED.

Dated at Montpelier, Vermont, this 14th day of September, 2009.

<u>s/James Volz</u>)	PUBLIC SERVICE
)	
)	
<u>s/David C. Coen</u>)	BOARD
)	
)	
<u>s/John D. Burke</u>)	OF VERMONT

OFFICE OF THE CLERK

FILED: September 14, 2009

ATTEST: s/Susan M. Hudson

Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)